

FFW

**TRANSMITTAL  
FORM**

Application Number	10/799,828
Filing Date	March 12, 2004
First Named Inventor	Hiben, et al.
Group Art Unit	2661
Examiner Name	Unassigned
Total Number of Pages in this Submission	15
Attorney Docket Number	CM06186H

**ENCLOSURES**

(check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-Related papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition for Corrected Filing Receipt	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter with appropriate copies
<input type="checkbox"/> Extension of time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request		
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Copy of Executed Declaration with correct provisional application no.
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> Request for Refund	<input checked="" type="checkbox"/> Copy of Filing Receipt
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> CD, Number of CDs	
<input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	Remarks	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual	Indira Saladi	Registration No.	45,479
Signature	<i>Indira Saladi</i>		
Date	June 8, 2004		

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage thereon, as first-class mail, in an envelope addressed to: commissioner for Patents, Alexandria, VA 20313 on this date	
Typed or printed name	Sheila Manherino
Signature	<i>Sheila Manherino</i>
Date	June 8, 2004



DOCKET NO.: CM06186H

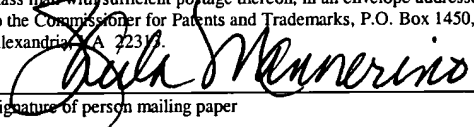
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hiben, et al.  
SERIAL NO.: 10/799,828  
FILED: March 12, 2004  
GROUP ART UNIT: 2661  
TITLE: METHOD FOR SELECTING AN OPERATING MODE BASED ON  
A DETECTED SYNCHRONIZATION PATTERN

CERTIFICATE OF MAILING OR TRANSMISSION

Date of Deposit: June 8, 2004

I hereby certify that this paper is being deposited with the United States Postal Service on the date indicated above as first-class mail with sufficient postage thereon, in an envelope addressed to the Commissioner for Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313.

  
Signature of person mailing paper

Sheila Mannerino  
Name of person mailing paper

PETITION UNDER 37 C.F.R. 1.182

Office of Initial Patent Examinations  
Filing Receipt Corrections  
P.O. Box 1450  
Alexandria, VA 22313

Sir:

Applicant petitions the Office of the Deputy Commissioner for Patents to issue a 'corrected' filing receipt in the subject application. In support thereof, Applicant states:

The filing receipt shows the provisional application number of 60/474,533, to which Motorola claims domestic priority. **This number is erroneous.**

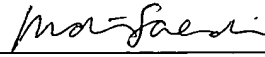
Please correct the filing receipt to reflect the correct provisional application number of **60/474,568**, to which domestic priority is claimed. A copy of the Combined Declaration and Power of Attorney in the above-identified application is attached, listing the correct provisional application number, along with a copy of the Filing Receipt with the change noted thereon.

No fee is due since the error was not that of Applicant. Accordingly, please issue a corrected filing receipt incorporating this change.

Respectfully submitted,

SEND CORRESPONDENCE TO:

**Customer No.** 22917  
Intellectual Property Section  
Law Department

By: 

Indira Saladi  
Attorney of Record  
Reg. No.: 45,479

Telephone: 847.576.6735  
Fax No.: 847.576.0721



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/799,828	03/12/2004	2661	770	CM06186H	7	9	3

CONFIRMATION NO. 8521

22917  
 MOTOROLA, INC.  
 1303 EAST ALGONQUIN ROAD  
 IL01/3RD  
 SCHAUMBURG, IL 60196

## FILING RECEIPT



\*OC000000012812446\*

JUN - 3 REC'D

PATENT DEPT  
 U.S. DOCKETING

Date Mailed: 05/28/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

## Applicant(s)

Bradley M. Hiben, Glen Ellyn, IL;  
 Robert A. Biggs, Evanston, IL;  
 David L. Muri, Sunrise, FL;  
 Donald G. Newberg, Hoffman Estates, IL;  
 Darrell J. Stogner, Plantation, FL;  
 Alan L. Wilson, Long Grove, IL;

## Domestic Priority data as claimed by applicant

This appln claims benefit of ~~60/474,533~~ 05/30/2003

60/474,568

## Foreign Applications

If Required, Foreign Filing License Granted: 05/28/2004

Projected Publication Date: 12/02/2004

Non-Publication Request: No

Early Publication Request: No

Title

## Method for selecting an operating mode based on a detected synchronization pattern

**Preliminary Class**

370

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



COPY

**DECLARATION FOR UTILITY OR  
DESIGN PATENT APPLICATION  
(37 CFR 1.63)  
COMBINED WITH POWER OF  
ATTORNEY**

☒ Declaration  
Submitted With  
Initial Filing

OR

☐ Declaration  
Submitted after Initial  
Filing (surcharge (37  
CFR 1.16 (e)) required)

**Attorney Docket  
Number**

**CM06186H**

**First Named Inventor**

**Bradley M. Hiben**

**COMPLETE IF KNOWN**

**Application Number**

**N/A**

**Filing Date**

**March 12, 2004**

**Group Art Unit**

**N/A**

**Examiner Name**

**N/A**

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD FOR SELECTING AN OPERATING MODE BASED ON A DETECTED  
SYNCHRONIZATION PATTERN**

the specification of which:

☒ is attached hereto

**OR**

☐ was filed on: (MM/DD/YYYY) \_\_\_\_\_ as United States Application Number or PCT International  
Application Number \_\_\_\_\_ and was amended on (MM/DD/YYYY) \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 CFR 1.56, including continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Provisional Application Serial No.:	60/474,568
Provisional Application Filing Date:	May 30, 2003

I hereby claim the priority benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which is material to the patentability of this application and which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Application(s):



no such application(s) filed



such application(s) identified as follows:

Application No.	Filing Date (MM/DD/YYYYr)	Status (Patented, Pending, Abandoned)

I hereby declare that: as to any claimed subject matter of this application which is common to my earlier United States or foreign application(s), if any, which I have identified above and claimed the benefit of priority thereof, I do not believe that the same was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the first of said earlier application(s), or in public use or on sale in the United States more than one year prior to the first of said earlier application(s), and that the said common subject matter has not been patented or made the subject of an inventor's certificate before the date of the first of said earlier U.S. application(s) in any country foreign to the United States on an application, filed by me or my legal representatives or assigns more than twelve months (six months if the present application is a Design patent application) prior to the first of said earlier U.S. application(s), if any; and that, as to any claimed subject matter of this application which is not common to said earlier application(s), if any, I do not know and do not believe that the same was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months (six months if the present application is a Design patent application) prior to the date of this application.

I hereby appoint the attorney(s) or agent(s) associated with: 22917 to prosecute this application and transact all business in the patent and trademark office connected therewith.

Address all correspondence to: **Customer Number** 22917

Attorney/Agent Name: Terri S. Hughes  
Telephone: (847) 576-0741  
Facsimile: (847) 576-0721

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

☐ A petition has been filed for this unsigned inventor.

Full Name of Sole or First Inventor: Bradley M. Hiben

Bradley M. Hiben  
Inventor's Signature

3/12/2004  
Date

Residence: Glen Ellyn IL 60137 USA  
City State Postal Code Country of Citizenship

437 Hill Avenue

Mailing Address

Glen Ellyn IL 60137 USA  
City State Postal Code Country

☐ A petition has been filed for this unsigned inventor.

Full Name of Second-Joint Inventor: Robert A. Biggs

Robert A. Biggs  
Inventor's Signature

3/11/04  
Date

Residence: Evanston IL 60201 United Kingdom  
City State Postal Code Country of Citizenship

2201 Pioneer Road

Mailing Address

Evanston IL 60201 USA  
City State Postal Code Country



☐ A petition has been filed for this unsigned inventor.

Full Name of Third-Joint Inventor: David L. Muri

\_\_\_\_\_  
Inventor's Signature Date

Residence: Sunrise FL 33322 USA  
City State Postal Code Country of Citizenship

2355 NW 110th Terrace  
Mailing Address

Sunrise FL 33322 USA  
City State Postal Code Country

☐ A petition has been filed for this unsigned inventor.

Full Name of Fourth-Joint Inventor: Donald G. Newberg

Donald G. Newberg 3/12/07  
Inventor's Signature Date

Residence: Hoffman Estates IL 60195 USA  
City State Postal Code Country of Citizenship

4240 Haman Avenue  
Mailing Address

Hoffman Estates IL 60195 USA  
City State Postal Code Country





COPY

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) COMBINED WITH POWER OF ATTORNEY</b>  <input checked="" type="checkbox"/> Declaration Submitted With Initial Filing <b>OR</b> <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	<b>Attorney Docket Number</b>	<b>CM06186H</b>
	<b>First Named Inventor</b>	<b>Bradley M. Hibben</b>
	<b>COMPLETE IF KNOWN</b>	
	<b>Application Number</b>	<b>N/A</b>
	<b>Filing Date</b>	<b>March 12, 2004</b>
	<b>Group Art Unit</b>	<b>N/A</b>
	<b>Examiner Name</b>	<b>N/A</b>

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**METHOD FOR SELECTING AN OPERATING MODE BASED ON A DETECTED  
SYNCHRONIZATION PATTERN**

the specification of which:

☒ is attached hereto

**OR**

☐ was filed on: (MM/DD/YYYY) \_\_\_\_\_ as United States Application Number or PCT International  
Application Number \_\_\_\_\_ and was amended on (MM/DD/YYYY) \_\_\_\_\_ (if applicable).

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I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

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Provisional Application Serial No.:	60/474,568
Provisional Application Filing Date:	May 30, 2003

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Prior U.S. Application(s):

- ☒ no such application(s) filed  
☐ such application(s) identified as follows:

Application No.	Filing Date (MM/DD/YYYYr)	Status (Patented, Pending, Abandoned)

I hereby declare that: as to any claimed subject matter of this application which is common to my earlier United States or foreign application(s), if any, which I have identified above and claimed the benefit of priority thereof, I do not believe that the same was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the first of said earlier application(s), or in public use or on sale in the United States more than one year prior to the first of said earlier application(s), and that the said common subject matter has not been patented or made the subject of an inventor's certificate before the date of the first of said earlier U.S. application(s) in any country foreign to the United States on an application, filed by me or my legal representatives or assigns more than twelve months (six months if the present application is a Design patent application) prior to the first of said earlier U.S. application(s), if any; and that, as to any claimed subject matter of this application which is not common to said earlier application(s), if any, I do not know and do not believe that the same was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months (six months if the present application is a Design patent application) prior to the date of this application.

I hereby appoint the attorney(s) or agent(s) associated with: 22917 to prosecute this application and transact all business in the patent and trademark office connected therewith.

Address all correspondence to: **Customer Number 22917**

Attorney/Agent Name: Terri S. Hughes  
Telephone: (847) 576-0741  
Facsimile: (847) 576-0721

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

☐ A petition has been filed for this unsigned inventor.

Full Name of Sole or First Inventor: Bradley M. Hiben

Inventor's Signature			Date	
<hr/>				
Residence:	<u>Glen Ellyn</u> City	<u>IL</u> State	<u>60137</u> Postal Code	<u>USA</u> Country of Citizenship
<u>437 Hill Avenue</u>				
Mailing Address				
<hr/>				
	<u>Glen Ellyn</u> City	<u>IL</u> State	<u>60137</u> Postal Code	<u>USA</u> Country

☐ A petition has been filed for this unsigned inventor.

Full Name of Second-Joint Inventor: Robert A. Biggs

Inventor's Signature			Date	
<hr/>				
Residence:	<u>Evanston</u> City	<u>IL</u> State	<u>60201</u> Postal Code	<u>United Kingdom</u> Country of Citizenship
<u>2201 Pioneer Road</u>				
Mailing Address				
<hr/>				
	<u>Evanston</u> City	<u>IL</u> State	<u>60201</u> Postal Code	<u>USA</u> Country

☐

A petition has been filed for this unsigned inventor.

Full Name of Third-Joint Inventor: David L. Muri

David L. Muri

Inventor's Signature

3/11/2004

Date

Residence: Sunrise FL 33322 USA  
City State Postal Code Country of Citizenship

2355 NW 110th Terrace

Mailing Address

Sunrise FL 33322 USA  
City State Postal Code Country

☐

A petition has been filed for this unsigned inventor.

Full Name of Fourth-Joint Inventor: Donald G. Newberg

\_\_\_\_\_  
Inventor's Signature

\_\_\_\_\_  
Date

Residence: Hoffman Estates IL 60195 USA  
City State Postal Code Country of Citizenship

4240 Haman Avenue

Mailing Address

Hoffman Estates IL 60195 USA  
City State Postal Code Country

☐ A petition has been filed for this unsigned inventor.

Full Name of Fifth-Joint Inventor: Darrell J. Stogner

Darrell Stogner 3/11/2004  
 Inventor's Signature Date

Residence: Plantation FL 33322 USA  
 City State Postal Code Country of Citizenship

1870 NW 107th Avenue  
 Mailing Address

Plantation FL 33322 USA  
 City State Postal Code Country

☐ A petition has been filed for this unsigned inventor.

Full Name of Sixth-Joint Inventor: Alan L. Wilson

Alan L. Wilson                       
 Inventor's Signature Date

Residence: Long Grove IL 60047 USA  
 City State Postal Code Country of Citizenship

3726 RFD  
 Mailing Address

Long Grove IL 60047 USA  
 City State Postal Code Country